

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PS – Education (SE) Deptt. – Allegations of corruption against Sri D.Ghouse Mohammed, ACGE, (Retired) O/o DEO, Mahabubnagar – Trapped by the ACB on 28.7.2004 – Prosecution – Convicted in C.C.No.7/2007 – **Withholding of Pension and Gratuity in full permanently** – Show Cause Notice issued – Provisional decision confirmed – Final orders – Issued.

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EDUCATION [SE-VIG.I(1)] DEPARTMENT

G.O.Rt.No.653

Dated 23-10-2010

Read the following:-

1. Judgment dt.9.4.2010 of the Addl.Spl.Judge for SPE&ACB Cases, City Civil Court, Hyderabad, in C.C.No.7/2007.
2. Show cause Notice/Memo.No.11469/SE-Vig.I(1)/2004-12, Dt. 8.6.10.
3. Explanation of Sri D.Ghouse Mohammed, ACGE, (Retired) dated 25.7.2010.

ORDER

Whereas, Sri D.Ghouse Mohammed, ACGE (Retd.), O/o District Educational Officer, Mahabubnagar was found guilty for the offences punishable under section 7 and 13(1)(d) read with section 13(2) of the P.C.Act and **convicted** under section 248(2) Cr.P.C. and sentenced to undergo Rigorous imprisonment for three years each and to pay a fine of Rs.3000/- each under section 7 and also under section 13(2) r/w 13(1)(d) of P.C.Act,1988 and in default of payment of fine, to under go simple imprisonment for six months each under the above sections of law ; and both the sentences were ordered to run concurrently, vide judgment 1st read above.

2. And whereas, a Show-cause notice was issued in the reference 2nd read above on Accused Officer (Retired) directing him to explain as to why the penalty of "**withholding of Pension and Gratuity in full permanently**" should not be imposed on him, under Rule 9 of the A.P.Revised Pension Rules,1980, on the ground of conduct led to his conviction in C.C.No.7/2007.

3. Sri D.Ghouse Mohammed, ACGE (Retd.) in his explanation 3rd read above, stated that the Hon'ble High Court of A.P., Hyderabad in criminal appeal No.609/2010 has suspended the execution of sentence of imprisonment awarded in CC.No.7/200 pending disposal of the Criminal Appeal. He has therefore requested the Government, not to impose the penalty of withholding of Pension and Gratuity in full permanently.

4. Government after careful examination of the matter, observed that the explanation of the A.O. has no valid ground for consideration and the misconduct established against Sri D.Ghouse Mohammed by his conviction is grave and calls for imposition of the penalty of withholding of Pension and Gratuity in full permanently, under Rule 9 of A.P.Revised Pension Rules,1980 therefore decided to confirm the provisional decision taken in the Show-cause notice in the reference 2nd read above. Accordingly, the penalty of "**withholding of Pension and Gratuity in full permanently**" is hereby imposed on Sri D.Ghouse Mohammed, ACGE (Retd.), O/o District Educational Officer, Mahabubnagar on the ground of conduct led to his conviction on a criminal charge.

5. The Director of Government Examinations, Hyderabad shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. D. SAMBASIVA RAO
SECRETARY TO GOVERNMENT (SE)

To
Sri D.Ghouse Mohammed, ACGE(Retd.), through
Director of Govt. Examinations, Hyderabad.
The Director of Government Examinations, Hyderabad.
Copy to:-
The Secretary to V.C., A.P.V.C.
The Director General, Anti-Corruption Bureau, Hyderabad.
SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER